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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHAEL ROGERS, an individual;
NIKITA WRIGHT, an individual,

Plaintiffs

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; JOSEPH LOMBARDO,
in his official capacity; ALFREDO
QUINTERO, individually; PRAVEEN RAJ,
individually; PARKER SMITH,
individually; TYLER GEORGI,
individually; JUSTIN JONSSON,
individually; JAMES KILBER, individually
DOE OFFICERS V - VI, individually,

Defendants

Case No.: 2:22-cv-00867-CDS-BNW

**STIPULATION AND ORDER TO
EXTEND AMENDMENT
DEADLINE**

(FIRST REQUEST)

Plaintiffs Michael Rogers and Nikita Wright (“Plaintiffs”), by and through their counsel of record, Margaret A. McLetchie, Esq. and Leo S. Wolpert, Esq., of McLetchie Law, and Defendants, the Las Vegas Metropolitan Police Department (the “Department” or “LVMPD”), Sgt. Alfredo Quintero (“Quintero”), and Officer Praveen Raj (“Raj”), collectively (“LVMPD Defendants”), by and through their counsel of record, Craig R. Anderson, Esq. and Nick D. Crosby, Esq., of Marquis Aurbach, hereby stipulate and agree

1 to extend the deadline for Plaintiffs to amend their complaint by fourteen (14) days, to
2 **February 26, 2025**. This Stipulation is being entered in good faith and not for purposes of
3 delay.

4 The formal deadline to amend pleadings or add parties has passed and Plaintiffs are
5 not seeking to extend that deadline. The amendment deadline to be extended by this
6 stipulation is the February 12, 2025, deadline set by the Court in its January 29, 2025, ruling
7 on Defendants' motion to dismiss. *See* ECF No. 64 at 11:14-17.

8 Pursuant to Local Rule 26-3 and Fed. R. Civ. P. 6(b), the Parties submit that good
9 cause exists for the extension requested. The deadline set by the Court in its January 29,
10 2025, Order gave Plaintiffs until February 12, 2025, to file a third amended complaint to
11 supplemented the allegations concerning their equal protection and *Monell* claims. *See* ECF
12 No. 64 at 11:14-17. The Parties acknowledge that, pursuant to Local Rule 26-3, a stipulation
13 to extend a deadline must be submitted to the Court no later than 21 days before the expiration
14 of the subject deadline, and that a request made within 21 days must be supported by a
15 showing of good cause. As the Court provided fourteen (14) days for amendment, the instant
16 stipulation could not be filed within the Rule's 21-day window. This is the first request for
17 an extension of the February 12, 2025, deadline for Plaintiffs to file a third amended
18 complaint.

19 Plaintiffs require the additional time to review litigation and evidence in other
20 similar cases to complete their preparation of the third amended complaint. Finally, the
21 Parties together request this in good faith and to further the resolution of this complicated
22 case on the merits, and not for any purpose of delay.

23 The Parties thus respectfully request an extension of time for Plaintiffs to file their
24 third amended complaint to enable to them to conduct necessary additional investigation as
25 to their claims so that this matter is fairly resolved on the merits with a third amended
26 complaint that fully reflects Plaintiffs' claims. "Good cause to extend a discovery deadline
27 exists 'if it cannot reasonably be met despite the diligence of the party seeking the
28 extension.'" *Derosa v. Blood Sys., Inc.*, No. 2:13-cv-0137-JCM-NJK, 2013 U.S. Dist. LEXIS

108235, 2013 WL 3975764, at 1 (D. Nev. Aug. 1, 2013) (*quoting Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)); *see also* Fed. R. Civ. P. 1 (providing that the Rules of Civil Procedure “should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding”).

Based on the foregoing stipulation, the Parties request that the deadline for Plaintiffs to file their third amended complaint to supplement their *Monell* and equal protection claims be extended an additional fourteen (14) days, to February 26, 2025.

Dated this 12th day of February, 2025.

Dated this 12th day of February, 2025.

MCLETCHIE LAW

MARQUIS AURBACH

By: /s/ Margaret A. McLetchie

By: /s/ Tabetha J. Steinberg

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Quintero, and Officer Praveen Raj

ORDER

The parties’ stipulation [ECF No. 69] is hereby approved. The deadline for plaintiffs to amend their complaint is extended to February 26, 2025.


UNITED STATES DISTRICT JUDGE

DATED: February 13, 2025